

Arlene's Flowers appeals to state Supreme Court

By Sara Schilling

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A Richland flower shop owner sued over her refusal to provide services for a same-sex wedding because of her religious beliefs wants the state Supreme Court to review the case.

Attorneys for Barronelle Stutzman filed the notice of appeal Monday.

The state Supreme Court can decide to take up the case or transfer it down to the state Court of Appeals to handle it first.

Stutzman owns Arlene's Flowers in Richland. A Benton County judge [ruled earlier this year that she broke the law](#) when she told longtime customer Robert Ingersoll in March 2013 that she couldn't provide services for his wedding to partner Curt Freed because of her religious beliefs. Stutzman is a Christian from the Southern Baptist tradition.

The state attorney general and the couple filed separate lawsuits in April 2013. Ingersoll and Freed are represented by attorneys working with the ACLU of Washington.

"The message that the attorney general and the ACLU have sent to the people of Washington in these two lawsuits is quite clear: surrender your religious liberty and freedom of speech, or face personal and professional ruin," Kristen Waggoner, one of Stutzman's attorneys, said in a statement Monday.

"The trial court's ruling affects all Americans who wish to remain free to live and work according to their faith without fear of punishment by the government," said Waggoner. "For that reason and others, we are requesting that the Washington Supreme Court grant direct review of Barronelle's case."

Waggoner is senior counsel with the Arizona-based Alliance Defending Freedom.

Doug Honig, ACLU spokesman, told the Herald that, "the (lower) court has given a very clear ruling that the florist's action violated state anti-discrimination law."

"We think it's a very strong case and we're ready to proceed with the appeal," Honig said.

A spokesman for the state attorney general said Monday evening that his office didn't have a comment on the appeal at this time.

Benton County Superior Court Judge Alex Ekstrom made his ruling in February in the closely watched case that's made headlines around the country.

He sided with the attorney general and the couple, writing in a 60-page decision that, "For over 135 years, the Supreme Court of the United States has held that laws may prohibit religiously motivated action, as opposed to belief. In trade and commerce, and more particularly when seeking to prevent discrimination in public accommodations, the courts have confirmed the power of the legislative branch to prohibit conduct it deems discriminatory, even where the motivation for that conduct is grounded in religious belief."

The state and couple argued that Stutzman clearly violated state anti-discrimination law and the Consumer Protection Act.

Stutzman's attorneys said she declined her services not because of the couple's sexual orientation, but because of her religious views on marriage. She has the right to free speech and exercise of religion, they said.

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